

REMARKS

The following remarks form a full and complete response to the Office Action dated November 13, 2008. Presently, claims 11-19 remain pending. Claims 1-10 were previously cancelled without prejudice or disclaimer. Applicants request reconsideration of the pending claims in view of the following remarks.

Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 11-14, 16-17, and 19 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,337,531 to Thompson et al. ("Thompson"). Applicants traverse the rejection because claims 11-14, 16-17 and 19 recite subject matter not disclosed by Thompson.

Independent claim 11 recites a beam attachment system. The beam attachment system comprises two posts, a beam, and at least one beam tie. The posts are stressed by the beam to push them apart and stressed by the beam tie to pull them together. The beam is connected to the beam tie, and the beam and the beam tie are mounted sliding relative to each other according to a finite sliding portion.

Thompson discloses an adjustable camber truss. *See* Thompson at col. 1, lines 58-60. The adjustable camber truss comprises an upper chord member 12, a major king post 22, and a pair of major tension members 28. *See Id.* at col. 3, lines 43-56; FIG. 1. The adjustable camber truss may also comprise a number of minor support structures 60, 62 fixed to a portion of the upper chord member 12 and each having tension members 72 and posts 64. *See Id.* at col. 4, lines 30-50; see also FIG. 3. The camber of the upper chord member of the truss may be adjusted by selectively adjusting the tension of each tension member 28. *Id.* at col. 3, line 56- col. 4, line 14; FIG. 2. The means for adjusting the tension members 28 comprises a threaded portion 40 of each tension member 20, a pair of hollow tubes fixed to the distal end 26 of the major king post 22 and nuts 50 and 51. *Id.* The camber of the upper chord member can be adjusted by tightening or loosening nuts 50. *Id.* A second pair of nuts 51 may be disposed on the threaded portion 40 to lock the tension members 28 in place once the required adjustments have been made with nuts 50. *Id.* Thompson, however, fails to disclose each and every element of claim 11.

For instance, Thompson fails to disclose a beam attachment system where the beam and the beam tie are mounted sliding relative to each other according to a finite sliding portion, as claim 11 requires. This feature of the invention makes it possible to reduce the potential energy connected to the load stress. See Present Application at ¶ 43. The Examiner suggests that Thompson's disclosure of tubes 44 teaches this feature of claim 11. It does not. Instead, the tubes 44 merely allow the camber of the upper chord member 12 to be adjusted; they do not allow the tube 44 to slide relative to the tension members 28. Indeed, when mounted, no sliding would occur at all because the nuts 50, 51 would prevent the tube 44 from sliding relative to the tension member 28. Accordingly, Thompson fails to disclose each and every element of claim 11. Applicants, therefore, respectfully request withdrawal of the rejection of claim 11. Claims 12-14, 16-17, and 19 are patentable over Thompson for at least the same reasons stated above with respect to claim 11, from which they depend, as well as for the additional features they recite.

Claim Rejections Under 35 U.S.C. § 103

Claim 18

The Examiner rejected claim 18 is rejected under 35 U.S.C. § 103(a) as unpatentable over Thompson. Applicants traverse the rejection because claim 18 recites subject matter neither disclosed nor suggested by Thompson. For instance, claim 18, which depends from claim 11, is patentable over Thompson for at least the same reasons stated above with respect to claim 11: Thompson fails to disclose or suggest a beam attachment system where the beam and the beam tie are mounted sliding relative to each other according to a finite sliding portion, as claim 11 requires. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 18.

Claim 15

The Examiner rejected claim 15 under 35 U.S.C. § 103(a) as unpatentable over Thompson in view of U.S. Patent No. 4,353,190 to Gleeson ("Gleeson"). Applicants traverse the rejection on the basis that claim 15 recites subject matter neither disclosed nor suggested by the combination of Thompson and Gleeson. For instance, claim 15 is patentable over Thompson for the same reasons stated above with respect to claim 11, from which it depends. Gleeson, which the Examiner cites for its disclosure of a beam in several segments, fails to remedy the

deficiencies of Thompson with respect to claim 15. Namely, like Thompson, Gleeson fails to disclose or suggest a beam attachment system where the beam and the beam tie are mounted sliding relative to each other according to a finite sliding portion, as claim 11 (and therefore claim 15) requires. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 15.

CONCLUSION

In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and request that the Office allow claims 11-19 and pass this application to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

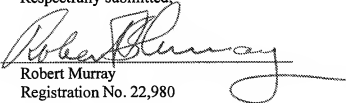
As noted earlier, Applicants respectfully petition for a three (3) month extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

Date:

5/13/09

By



Robert Murray
Registration No. 22,980
Attorney for Applicant
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202)783-6040